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PATENT
Docket No. GZ 2103.20
GZ Ref. 5036 US2

CERTIFICATE OF MAILING

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Dated:

August 20, 2002

Mary R. Zimmerman
Mary R. Zimmerman

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In re Application for:

Charles A. NICOLETTE

Serial No.: 10/066,474

Filing Date: January 31, 2002

For: MART-1 COMPOUNDS FOR
THERAPY AND DIAGNOSIS AND
METHODS FOR USING SAME

Examiner: Not Yet Assigned

Group Art Unit: 1645

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached forms PTO-1449a and PTO-1449b are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.

- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☒ Copies of the items listed in the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 09/922,405 filed August 3, 2001 and relied upon in this

application for an earlier filing date under 35 U.S.C § 120.
See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- ☒ Applicants bring to the Office's attention the following related, co-pending application(s): U.S. Serial No.: 09/922,405, filed August 3, 2001 and PCT Application No. PCT/US01/24328 and PCT/US02/02944, filed August 3, 2001 and January 31, 2002, respectively.

V. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-1189, billing reference number: 19442-7252 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: Aug. 20, 2002

By: Antoinette F. Konski
Antoinette F. Konski
Registration No. 34,202

Bingham McCutchen LLP (formerly McCutchen Doyle Brown & Enersen LLP)
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (650) 849-4950
Facsimile: (650) 849-4800

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/066,474
Filing Date	January 31, 2002
First Named Inventor	Charles A. NICOLETTE
Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket Number	GZ 2103.20

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-4,683,195	07/28/87	Mullis et al.	
	2	US-4,683,202	07/28/87	Mullis	
	3	US-4,754,065	06/28/88	Levenson et al.	
	4	US-4,800,159	01/24/89	Mullis et al.	
	5	US-5,440,013	08/08/95	Kahn	
	6	US-5,837,249	11/17/98	Heber-Katz et al.	

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FOREIGN PATENT DOCUMENTS

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	7	WO 96/23060	08/01/96	The Government of the United States of America		
	8	EP 0 702 082 A1	03/20/96	Hagiware et. al.		

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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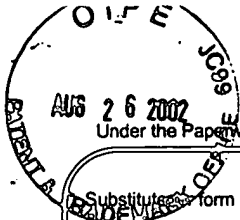
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Substituted Form 1449B-PTO

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(use as many sheets as necessary)

Sheet **1** of **4**

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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	1	ALTMAN, J.D. et al. "Phenotypic analysis of antigen-specific T lymphocytes" <i>Science</i> (1996) 274(5284):94-96	TECH CENTER 1600/2900
	2	BERTONI, R. et al. "Human class I supertypes and CTL repertoires extend to chimpanzees" <i>J. Immunol.</i> (1998) 161:4447-4455	
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	15	DiMAIO, J. and B. BELLEAU "Synthesis of chiral piperazin-2-ones as model peptidomimetics" <i>J. Chem. Soc. Perkin Trans.</i> (1989) 1(9):1687-1689	
	16	FELTKAMP, M.C.W. et al. "Competition inhibition of cytotoxic T-lymphocyte (CTL) lysis, a more sensitive method to identify candidate CTL epitopes than induction of antibody-detected MHC class I stabilization" <i>Immunol. Lett.</i> (1995) 47:1-8	
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	25	KAHN, M. and S. BERTENSHAW "The incorporation of β -turn prosthetic units into merrifield solid phase peptide synthesis" <i>Tetrahedron Lett.</i> (1989) 30(18):2317-2320	
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	31	KEMP, D.S. and B.R. BOWEN "Conformational analysis of peptide-functionalized diacylaminoepindolidiones 'H NMR evidence for β -sheet formation" <i>Tetrahedron Lett.</i> (1988) 29(40):5081-5082	
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	44	PARDOLL, D.M. "Cancer vaccines" <i>Nature Med.</i> (1998) 4 (5 Suppl.):525-531	
	45	PARKER, K.C. et al. "Sequence motifs important for peptide binding to the human MHC class I molecule, HLA-A2" <i>J. Immunol.</i> (1992) 149 (11):3580-3587	
	46	PARKER, K.C. et al. "Peptide Binding to MHC Class I Molecules: Implications for Antigenic Peptide Prediction" <i>Immunol. Res.</i> (1995) 14 :34-57	
	47	PARKHURST, M.R. et al. "Improved induction of melanoma-reactive CTL with peptides from the melanoma antigen gp100 modified at HLA-A*0201-binding residues" <i>J. Immunol.</i> (1996) 157 :2539-2548	
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	49	RILL, D.R. et al. "An approach for the analysis of relapse and marrow reconstitution after autologous marrow transplantation using retrovirus-mediated gene transfer" <i>Blood</i> (1992) 79 (10):2694-2700	
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ZÜGEL, U. et al. "Termination of peripheral tolerance to a T cell epitope by heteroclitic antigen analogues" *J. Immunol.* (1998) **161**(4):1705-1709

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ZWEERINK, H.J. et al. "Presentation of endogenous peptides to MHC class I-restricted cytotoxic T lymphocytes in transport deletion mutant T2 cells" *J. Immunol.* (1993) **150**(5):1763-1771

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Application Number	10/066,474
Filing Date	January 31, 2002
First Named Inventor	Charles A. NICOLETTE
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket No.	GZ 2103.20

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Antoinette F. Konski Bingham McCutchen LLP (formerly McCutchen Doyle Brown & Enersen LLP) Three Embarcadero Center, Suite 1800 San Francisco, CA 94111-4067
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Signature

Date

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